

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# In re Application of:

Michael J. Litchman

Serial No.: 10/765,721

Filed: January 27, 2004

For: CLOSURE ELEMENT FOR

TUBULAR MEMBERS AND CONTAINER

INCLUDING SAME (as amended)

Confirmation No.: 2564

Examiner: R. Hylton

Group Art Unit: 3727

Attorney Docket No.: 2316-6296US

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 8, 2005

Date

Joseph A. Walkowski

Name (Type/Print)

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the document listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Pursuant to M.P.E.P. 609 III A(2), a copy of the cited U.S. patent is not being provided.

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as

defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicant herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

## U.S. Patent Documents

U.S. Patent No.	Publication Date	<u>Patentee</u>	
US - 3,856,199	12/24/1974	Gartz	

Applicant offers to supply any explanation or discussion of the document which the Examiner feels is necessary or desirable and which is requested.

This Supplemental Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits, and therefore no fee is due.

Respectfully submitted,

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Enclosures: Form PTO/SB/08

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Complete if Known				
Application Number	10/765,721			
Filing Date	January 27, 2004			
First Named Inventor	Michael J. Litchman			
Group Art Unit	3727			
Examiner Name	R. Hylton			
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		Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of	Pages, Columns, Lines, Where Relevant
	Cite No.1	Number - Kind Code <sup>2</sup> (if known)		Cited Document	Passages or Relevant Figures Appear
		US-3,856,199	12/24/1974	Gartz	
		US-			

FOREIGN PATENT DOCUMENTS					
Examiner Cite	Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines,	
No.	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.